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C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 001486

SIPDIS

STATE FOR EAP/BCLTV AND DRL
LABOR FOR ILAB
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SUBJECT: THE ILO: SLOWLY ESTABLISHING A WORKING PRESENCE IN
BURMA

REF: GENEVA 4706

Classified By: COM CARMEN M. MARTINEZ FOR REASON 1.5(D).

1. (C) Summary: The new ILO liaison officer in Rangoon met with Secretary One General Khin Nyunt this week and received assurances that the SPDC would work with the ILO to address problems with forced labor. She was also told that she can travel freely anywhere she wants in Burma. These assurances and the establishment of the new ILO office in Rangoon are positive steps, but the GOB has not yet presented an acceptable plan of action on forced labor. The ILO office in Rangoon is looking for clear direction from next week's ILO Governing Body meeting to reinforce its efforts in regard to the plan of action. End Summary.

2. (C) ILO Rangoon's Deputy Liaison Officer Richard Horsey told Poloffs on November 15 that the ILO's new liaison officer, Ms. Nguyen-Perret, met with Secretary One General Khin Nyunt, Home Affairs Minister Tin Hlaing, and the GOB's Implementation Committee on Forced Labor during the past week. Earlier, she had also met with Minister of Labor Tin Win. The meeting with Secretary One was positive, according to Horsey; where S-1 had once denied any instances of forced labor, he now admitted that it had once been government policy to "ask for" labor contributions. S-1 said that regulations against forced labor had now been issued; however, there were still problems, particularly in the border areas. Horsey said that this was a remarkable change of position, which reflected the government's evolving understanding of the forced labor issue. S-1 also told Ms. Nguyen-Perret that she was free to travel anywhere she chose in Burma.

3. (C) Horsey said he and Ms. Nguyen-Perret had only taken one trip so far, a one-day trip to Kyauktan, a small town just east of Rangoon (and, coincidentally, Khin Nyunt's home town). The pair had not investigated allegations of forced labor on the visit but they did find copies of the government's ordinances on forced labor prominently posted in two locations. In the future, they plan to travel widely, beginning with a weeklong trip in December. Horsey said the ILO team will give the government one-day notice of their travel plans, except when they plan to meet with government officials, in which case they will give more notice.

4. (C) ILO Rangoon is now negotiating for a visit by an ILO High Level Team to work out the details of a GOB plan of action to deal with forced labor. The local office wants enough antecedent progress on the plan to make the team's trip worthwhile. It is pushing the government to have something ready for the team as soon as possible, but no later than January or February, i.e., in time for the plan to be taken into consideration at the March Governing Board meeting.

5. (C) Horsey stated that the plan of action should include the following three elements:

-- an investigation mechanism that would cover both the military and the wider civilian population. The problem now is that the GOB's Implementation Committee on forced labor does not have access to or influence over the military, where most forced labor problems occur. In the future, either the military would have to be included in the committee or, better, a mechanism would have to be set up to utilize the military's inspector general and/or the adjutant general to enforce the government's rules on forced labor. In addition, the procedures of the Implementation Committee would have to be reformed. Right now, the Committee was not making any record of any of its investigations and, in fact, was not effectively pursuing cases;

-- a nationwide presence for the ILO, with mechanisms for receiving complaints, and for disseminating information on forced labor through pamphlets, training, etc.;

-- a portfolio of ILO supported technical assistance projects that would teach the government how to deal with development issues at the village level without resort to forced labor.

6. (C) Horsey noted that the government has been pushing for

ILO technical assistance projects while putting the other two elements on hold. He has responded that the first two elements need to be in place before any meaningful technical assistance projects can begin.

17. (C) Horsey did not expect any dramatic developments at the upcoming Governing Body meeting. The GOB was pushing for "a reinterpretation" of the 1999 ILO resolution on Burma to allow the ILO to provide technical assistance in areas other than forced labor. The ILO mission here, however, has told the government that this was the wrong approach. Horsey said ILO Rangoon has told the government that there was already plenty of latitude to receive technical assistance for critical labor issues within the guidelines laid down by the 1999 resolution. There was no need for a revision. Moreover, he told the government that most ILO members would view any GOB effort to reinterpret the 1999 resolution with suspicion.

18. (C) Horsey said ILO Rangoon was looking for clear direction from the Governing Body on next steps with Burma such as an approved action plan. This would give the office something specific to work on with the GOB prior to the next GB meeting in March. He said there was no need for any change in any of the Burma resolutions, but a recognition of the steps the GOB has taken, together with a clear endorsement of the ILO's concept of an appropriate plan of action would be welcome.
Martinez